

1615

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Approved for use through 07/31/2006. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/511,006
		Filing Date	May 9, 2005
		First Named Inventor	Mark Jason Heath Ellison
		Art Unit	1615
		Examiner Name	Not yet assigned.
Total Number of Pages in This Submission	7	Attorney Docket Number	0470-044861

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Postcard for return receipt
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		
	Remarks	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Webb Law Firm		
Signature			
Printed Name	William H. Logsdon		
Date	August 26, 2005	Reg. No.	22,132

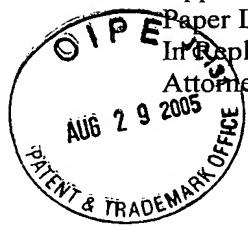
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Application No. 10/511,006  
Paper Dated: August 26, 2005  
In Reply to USPTO Correspondence of July 29, 2005  
Attorney Docket No. 0470-044861

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/511,006  
Applicants : Mark Jason Heath Ellison et al.  
Filed : May 9, 2005  
Title : EXCIPIENT FOR USE IN DRY POWDER  
INHALATION PREPARATIONS  
Group Art Unit : 1615  
Examiner : Not yet assigned.  
Confirmation No. : 6712  
Customer No. : 28289

MAIL STOP AMENDMENT  
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Alexandria, VA 22313-1450

## **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

This is in response to the Notice of Non-Compliant Amendment dated July 29 2005, in which a shortened statutory period for reply was set for one month. Applicants' Preliminary Amendment of October 12, 2004 was deemed to be non-compliant because claims 1-27 were omitted.

Application No. 10/511,006  
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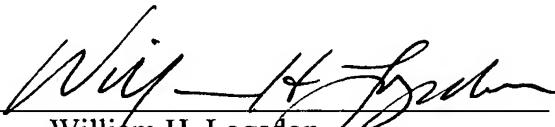
Applicants submit herewith a complete "Listing of Claims," pages numbered 3-6 in the prior Preliminary Amendment.

Applicants were given one month from the mailing date of the Notice, namely, until August 29, 2005 to comply. This response is within that time period.

Respectfully submitted,

THE WEBB LAW FIRM

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